

Senate bill No. 184, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

NEILL, Chairman.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, March 2, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 765, A bill to be entitled "An Act creating the Aspermont Independent School District in Stonewall county, Texas; defining its metes and bounds, etc., and declaring an emergency."

H. B. No. 747, A bill to be entitled "An Act creating a more efficient road system for Grimes county, Texas, etc., and declaring an emergency."

H. B. No. 669, A bill to be entitled "An Act to amend Sections 2, 3 and 14 of an act creating the county court of Dallas county at law, passed at the Regular Session of the Thirtieth Legislature of the State of Texas, and approved April 3, 1907, and adding thereto Sections 15 and 16, so as to restore to the county court of Dallas county jurisdiction in all matters and causes, civil and criminal, over which by the general laws of the State county courts have jurisdiction, providing for the manner of filing and transferring cases, and declaring an emergency."

H. B. No. 749, A bill to be entitled "An Act permitting the commissioners court of Donley county, Texas, to pay the members of said court the sum of \$4 per day while serving at the terms of said court."

And find the same correctly engrossed.

RUSSELL, Vice-Chairman.

THIRTY-NINTH DAY.

(Monday, March 5, 1917.)

The House met at 10 o'clock a. m., pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called and the following members were present:

Baker.	Bertram.
Beard of Harris.	Blackburn.
Beard of Milam.	Blackmon.
Beasley.	Blalock.
Bedell.	Bland.

Bledsoe.	Neeley.
Boner.	Neill.
Brown.	Nichols.
Bryan.	Nordhaus.
Bryant.	O'Banion.
Burton of Rusk.	O'Brien.
Burton of Tarrant.	Osborne.
Butler.	Parks.
Cadenhead.	Peddy.
Canales.	Peyton.
Carlock.	Pillow.
Clark.	Pope.
Cope.	Raiden.
Cox.	Reeves.
Crudgington.	Richards.
Davis of Grimes.	Robertson.
Davis of Van Zandt.	Roemer.
De Bogory.	Rogers.
Denton.	Russell.
Dodd.	Sackett.
Dudley.	Sentell.
Dunnam.	Schlesinger.
Estes.	Schlosshan.
Fitzpatrick.	Seawright.
Florer.	Sholars.
Fly.	Smith of Bastrop.
Greenwood.	Smith of Hopkins.
Haidusek.	Smith of Scurry.
Hardey.	Spencer of Nolan.
Harris.	Spencer of Wise.
Hartman.	Spradley.
Hawkins.	Stewart.
Hill.	Taylor.
Holland.	Templeton.
Hudspeth.	Terrell.
Johnson.	Thomas.
Jones.	Thomason.
Laas.	Thomason of El Paso.
Laney.	Thomason of Nacogdoches.
Lange.	Thompson.
Lanier.	Thompson of Hunt.
Lee.	Thompson of Red River.
Lindemann.	Tillotson.
Lowe of McMullen.	Tilson.
Low of Washington.	Tinner.
McComb.	Trayler.
McCoy.	Tschoepe.
McDowra.	Upchurch.
McFarland.	Valentine.
McMillin.	Veatch.
Martin.	Walker.
Meador.	White.
Mendell.	Williams.
Metcalfe.	Williams of Brazoria.
Miller of Austin.	Williams of McLennan.
Miller of Dallas.	Williford.
Monday.	Wilson.
Moore.	Woods.
Morris.	Woodul.
Murrell.	

Absent.

Beason.

Fairchild. Scholl.
Fisher. Swope.
Poage. Yantis.

Absent—Excused.

Bell. Sallas.
Cates. Strayhorn.
Davis of Dallas. Wahrmond.
Lacey.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain, as follows:

Incline Thine ear unto us, O Lord, and hear our morning prayer. We acknowledge our transgressions. Our sins are ever before Thee. We are as prone to do evil as the sparks are to fly upward. We need the Christ spirit to subdue our carnal natures and allow our spiritual natures to have ascendancy. We pray Thee, O God, for Thy spirit to guide us this day in the transaction of the business of the day. May each member of this House come to the duties of this day in the fear and favor of the Almighty God. We pray Thee to hear our prayer and answer us according to Thy tender mercy and Thy loving kindness. For Jesus' sake. Amen.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Davis of Dallas, for last Saturday and today, on motion of Mr. Raiden.

Mr. Sallas, for last Saturday, today and tomorrow, on motion of Mr. Rogers.

Mr. Bell, for today, on motion of Mr. Thomas.

Mr. Cates, for today, on motion of Mr. Mendell.

The following members were granted leaves of absence on account of sickness:

Mr. Terrell, for last Saturday, on motion of Mr. Bedell.

Mr. Lacey, indefinitely, on motion of Mr. Estes.

HOUSE BILLS ON FIRST READING.

The following House bills and House joint resolution, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Tilson:

H. B. No. 806, A bill to be entitled "An Act to incorporate the city of Plainview, Hale county, Texas, and to

grant it a charter; to define its powers and prescribe its territorial limits, duties and liabilities; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Municipal Corporations.

By Mr. Denton:

H. B. No. 807, A bill to be entitled "An Act to appropriate out of the general fund not heretofore appropriated the sum of \$21,832.80, or so much thereof as may be necessary, to defray the expenses of the Live Stock Commission of Texas in carrying out the provisions of Committee Substitute for Senate bill No. 108; providing for cattle tick and sheep scab eradication for the fiscal year ending August 31, 1917, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Stewart:

H. B. No. 808, A bill to be entitled "An Act to create a more efficient road system for Jasper county, Texas, etc., and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Carlock:

H. B. No. 809, A bill to be entitled "An Act to amend Article 1255 of the Penal Code of the State of Texas, and declaring an emergency."

Referred to Committee on Reforms in Criminal Procedure.

By Mr. Miller of Dallas, Mr. Beard of Milam and Mr. Estes:

H. B. No. 810, A bill to be entitled "An Act to authorize the formation of corporations under the general corporation laws of this State for the purpose of producing cotton, sugar cane, and rice as their principal business; the ownership of lands necessary for such purposes not to exceed 5000 acres, and declaring an emergency."

Referred to Committee on Private Corporations.

By Mr. Peyton:

H. B. No. 811, A bill to be entitled "An Act to create a more efficient road system for Trinity county, Texas, etc., and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Nichols, Mr. Meador, Mr. Burton of Rusk, Mr. Laney, Mr. Williford, Mr. Veatch and Mr. Tinner:

H. J. R. No. 38, Proposing to amend the Constitution of the State by adding Section 59 to Article 3 thereof, providing power and restrictions on the Legislature, to regulate and control the manufacture, exchange, barter, sale, use, transportation or delivery of intoxicating liquors, or liquors capable of producing intoxication, permitting the same for certain purposes; prohibiting the same for all other purposes; providing for retention of certain penal laws; revoking liquor licenses or grants; commanding the Legislature to enact laws on this subject; repealing Section 20 of Article 16 of the Constitution; providing for publication and election for the adoption or rejection of this amendment as usual in such cases, and providing for expenses for all of the same.

Referred to Committee on Constitutional Amendments.

SENATE BILLS ON FIRST READING.

The following Senate bills were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 208, to the Committee on Reforms in Criminal Procedure.

Senate bill No. 417, to the Committee on Education.

Senate bill No. 442, to the Committee on Common Carriers.

BILLS ORDERED NOT PRINTED.

On motion of Mr. De Bogory, it was ordered that House bill No. 802 be not printed.

On motion of Mr. Blalock, it was ordered that Senate bill No. 416 be not printed.

On motion of Mr. Harris, it was ordered that Senate bill No. 385 be not printed.

On motion of Mr. Veatch, it was ordered that Senate bill No. 451 be not printed.

On motion of Mr. Tilson, it was ordered that House bill No. 806, be not printed.

On motion of Mr. Smith of Scurry, it was ordered that Senate bill No. 417 be not printed.

On motion of Mr. Neill, it was ordered that House bill No. 755 be not printed.

On motion of Mr. Cope, it was ordered that Senate bill No. 304 be not printed.

On motion of Mr. Lee, it was ordered that Senate bill No. 424 be not printed.

On motion of Mr. Pope, it was ordered that Senate bill No. 385 be not printed.

BILL RECOMMITTED.

On motion of Mr. Lowe of McMullen, House bill No. 794 was recommitted to the Committee on Education.

BILL REREFERRED.

On motion of Mr. O'Brien, Senate bill No. 442 was withdrawn from the Committee on Common Carriers and re-referred to the Judiciary Committee.

TO RECALL HOUSE BILL NO. 115 FROM THE SENATE.

Mr. Smith of Scurry offered the following resolution:

Whereas, The House on Monday, February 26, 1917, passed committee substitute for House bill No. 115 and the said bill is now pending in the Senate as an amendment to the Warehouse and Marketing Law, passed at the Second Called Session of the Thirty-third Legislature, for the purpose of perfecting said law; and

Whereas, Certain features in the committee substitute for House bill No. 115 destroy the true and real purposes of said law, which was enacted in the interest of and for the purpose of protecting producers of farm products; and

Whereas, The law as it now stands specifically protects the farming interests and guarantees to the farmers the control of their co-operative marketing organizations by providing:

1. That Section 9 of the present law provides that 60 per cent of the stockholders shall be actually engaged in farming as a business.

2. That Section 12 provides that at all regular and special meetings of such organizations each member of the corporation shall have one vote and no more; and

Whereas, The committee substitute for House bill No. 115, as passed by the House, seeks to strike down this provision by providing that only fifty per cent of the stockholders shall be identified with agriculture, and are not required to be engaged in farming as a business, and omits all safeguards as above enumerated, which is sufficient proof that said bill as passed by the House does not safeguard the interest of the producers, but is calculated to deliver their interest back into the hands of those who have heretofore controlled all channels through which the products of the farm were marketed; and

Whereas, The bill contains many other provisions that will tax both farmers

and ginners without promising anything in return; and

Whereas, It is evident that many members of the House were not aware of the contents of the bill, due to the short time given to its consideration, and were not given an opportunity to record their votes on final passage so as to place themselves in a proper attitude with their constituents; and

Whereas, We believe the farmers are capable of attending to their own business affairs, and should be given every opportunity to do so, as evidenced by the utterances of President Wilson regarding the Federal law providing for the establishment of farm loan banks, which law contains the principle of vote restriction so as to prevent the control of the various organizations by a few large stockholders; and

Whereas, The principle set forth in the Farm Loan Bank Law and in the Warehouse and Marketing Law are destroyed by Section 3 of the committee substitute for House bill No. 115, which, if enacted into law, will enable stockholders other than farmers either in the State or outside of the State to get control of every warehouse or marketing association organized in the State; therefore, we respectfully ask that the committee substitute for House bill No. 115 be recalled from the Senate for further consideration and amendment.

Signed—Smith of Scurry, Low of Washington, Miller of Austin, Fisher, Bagby, Martin, Bledsoe, Pillow, Beard of Milam.

The resolution was read second time and was referred by the Speaker to the Committee on Agriculture.

RELATING TO CONFLICTS IN WORK OF CERTAIN INSTITUTIONS.

Mr. Miller of Dallas moved to reconsider the vote by which the House, on last Saturday, March 3, refused to adopt Senate Concurrent Resolution No. 13.

The motion to reconsider prevailed.

The Speaker then laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 13, Providing for investigation of conflicts in work being done by certain State institutions and departments.

Whereas, Your Committee on Agriculture and subcommittee on Agriculture have found from testimony and hearings before them that there is conflict, duplication and repeating in the work carried on by the A. and M. College, the University, the Extension Boards, the Depart-

ment of Education, the Warehouse and Marketing Departments, and the Department of Agriculture; and

Whereas, Said committee have found out from said hearings that there is friction existing among said institutions resulting from said duplicating and repeating work; and

Whereas, It appears that said institutions can not agree among themselves upon the functions and lines along which each should act so as not to interfere with, over-lap and impede the progress of each other; be it

Resolved by the Senate, the House concurring, That a joint committee of this Legislature composed of two Senators and three members of the House be appointed by the President of the Senate and the Speaker of the House, to consider, investigate and determine, under the Constitution and laws of Texas, the distinct and specific fields of operation to be pursued by each of said institutions, so as to avoid and eliminate the duplicating and friction existing among said institutions, and that said committee be allowed sufficient time to minutely go into these matters and prescribe the exact sphere of each of said institutions to the end that this Legislature be requested to make appropriation for each institution in the sphere of activity as prescribed by this committee only, and the duplicating, repeating and overlapping work done by said institutions may be entirely eliminated so that each shall perform certain specific acts and things as provided by law and to the end that each institution may be strengthened in its own sphere of usefulness and an enormous amount of money saved to the taxpayers of Texas.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee on the part of the House:

Messrs. Thomason of Nacogdoches, Denton and McDowra.

(Mr. Bryan in the chair.)

CONCERNING REVISION OF AD VALOREM TAX LAWS.

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 15, Relating to revising the ad valorem tax laws of the State.

On motion of Mr. Woods, the resolution was referred to the Committee on Revenue and Taxation.

MESSAGE FROM CITIZENS OF
GOLIAD.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 23, Relating to message sent from citizens of Goliad:

Resolved by the Senate of Texas, the House of Representatives concurring, That the Legislature of Texas receives the message of congratulation from the citizens of Goliad sent through their Senator and hereto attached to us with sentiments of patriotism and State pride on this the anniversary of Texas independence, and in reply reminds the people of Texas that the glories of Goliad shall ever be remembered while Texas history preserves its annals, patriotism dictates good government and freedom of thought and conscience find a friend.

The resolution was read second time and was adopted.

SENATE BILL NO. 375 ON SECOND
READING.

On motion of Mr. Osborne, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to a third reading.

S. B. No. 375, A bill to be entitled "An Act to reorganize the Seventh, Fourteenth and Fortieth Judicial Districts and to create the Eighty-sixth Judicial District of the State of Texas, and providing for the appointment of the district judge for said Eighty-sixth Judicial District, and providing for holding the district courts and the terms thereof in the said Seventh, Fourteenth, Fortieth and Eighty-sixth Judicial Districts, and providing that all process, recognizances, bail bonds, appeal bonds, and jurors heretofore selected are valid and returnable to first session after this act takes effect and validating all judgments and decrees of the said courts, and providing for the continuation of any district court mentioned to the end of its term, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to a third reading.

Mr. Osborne moved to reconsider the vote by which the bill was passed to a third reading, and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 391 ON THIRD
READING.

On motion of Mr. Murrell, by unanimous consent, the regular order of business was suspended to take up and have placed on its third reading and final passage.

S. B. No. 391, A bill to be entitled "An Act to amend Section (4) of an act of the Thirty-second Legislature of Texas, passed at the Regular Session thereof, being 'An Act to amend the charter of the city of Gainesville by creating a Board of Water Commissioners for said city, to be appointed by said city council, and prescribing the powers and duties of such board, and declaring an emergency,' relating to the control and disposition of funds derived from the sale of water, and repealing all laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—117.

Baker.	Fly.
Beard of Harris.	Greenwood.
Beard of Milam.	Haidusek.
Beasley.	Hardey.
Bedell.	Harris.
Bertram.	Hartman.
Blackburn.	Hawkins.
Blackmon.	Hill.
Bland.	Holland.
Bledsoe.	Hudspeth.
Boner.	Johnson.
Brown.	Laas.
Bryan.	Laney.
Bryant.	Lange.
Burton of Rusk.	Lanier.
Burton of Tarrant.	Lee.
Butler.	Lindemann.
Cadenhead.	Lowe
Canales.	of McMullen.
Carlock.	Low
Clark.	of Washington.
Cope.	McComb.
Cox.	McCoy.
Crudgington.	McFarland.
Davis of Grimes.	Martin.
Davis	Meador.
of Van Zandt.	Mendell.
De Bogory.	Metcalfe.
Denton.	Miller of Austin.
Dodd.	Miller of Dallas.
Dudley.	Monday.
Dunnam.	Moore.
Estes.	Morris.
Florer.	Murrell.

Neeley.	Stewart.
Neill.	Taylor.
Nichols.	Templeton.
Nordhaus.	Terrell.
O'Banion.	Thomas.
O'Brien.	Thomason
Osborne.	of El Paso.
Parks.	Thomason
Peddy.	of Nacogdoches.
Peyton.	Thompson
Pillow.	of Hunt.
Pope.	Tillotson.
Reeves.	Tilson.
Richards.	Trayler.
Robertson.	Tschoepe.
Roemer.	Upchurch.
Rogers.	Valentine.
Russell.	Veatch.
Sackett.	Walker.
Sentell.	White.
Schlesinger.	Williams
Schlosshan.	of Brazoria.
Seawright.	Williams
Sholars.	of McLennan.
Smith of Bastrop.	Williford.
Smith of Hopkins.	Wilson.
Spencer of Nolan.	Woods.
Spencer of Wise.	Woodul.
Spradley.	

Absent.

Bagby.	Poage.
Beason.	Raiden.
Blalock.	Scholl.
Fairchild.	Smith of Scurry.
Fisher.	Swope.
Fitzpatrick.	Thompson
Jones.	of Red River.
McDowra.	Tinner.
McMillin.	Yantis.

Absent—Excused.

Bell.	Sallas.
Cates.	Strayhorn.
Davis of Dallas.	Wahrmund.
Lacey.	

(Speaker in the chair.)

HOUSE BILL NO. 36 ON SECOND READING.

On motion of Mr. Lindemann, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 36, A bill to be entitled "An Act to create a Commission of Appeals of Texas and to define the powers and duties thereof; and for the appointment of their stenographers and porter, and the furnishing of rooms for their use in the Capitol, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Carlock offered the following amendments to the bill:

(1)

Amend line 13, page 1, of House bill No. 36 by striking out the word "six" and inserting the word "three."

(2)

Amend lines 14 and 15, page 1, by striking out after the words "Supreme Court," in line 14, the following: "To sit in two sections of three each to be styled Section A and Section B."

(3)

In line 27, page 1, strike out the words "each section of."

(4)

After line 32, page 1, add the following: "The words trial docket shall be held to include the cause docket."

(5)

Amend line 23, page 1, by striking out the words "each section of."

(6)

Amend line 36, page 1, by striking out after the first word of said line, to wit: "of," the words "each section," and insert in lieu thereof the words "of the commission."

(7)

Amend line 37, page 1, by striking out the words "each section."

(8)

Amend line 33, page 2, after the word "hold" by striking out the word "their" and insert the word "its."

(9)

On page 3, at line 20, strike out the words "each section."

(10)

On page 3, at line 22, strike out the words "the two sections."

(11)

Amend Section 7, page 2, line 34, after the word "court" by adding the following: "Provided, that the said Commission of Appeals shall continue their work during the vacation of the Supreme

Court in mid-summer, subject, however, to the right of the said judges of the Commission of Appeals to take a vacation not to exceed six weeks during said period."

(12)

Amend Section 13, page 3, line 29, by adding the following: "Said Commission shall expire in two years from their appointment unless the business of the trial docket of the Supreme Court is caught up with sooner."

The amendments were severally adopted.

Mr. Canales offered the following amendment to the bill:

Amend by striking out the enacting clause.

(Mr. Pope in the chair.)

Mr. Schlesinger moved the previous question on the amendment and the engrossment of the bill, and the main question was ordered.

Question first recurring on the amendment, striking out the enacting clause of the bill, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—59.

Baker.	Martin.
Beard of Harris.	Meador.
Beard of Milam.	Murrell.
Bedell.	Neill.
Bertram.	Nichols.
Blackburn.	Peddy.
Blalock.	Pope.
Boner.	Raiden.
Brown.	Reeves.
Burton of Rusk.	Richards.
Butler.	Robertson.
Cadenhead.	Rogers.
Canales.	Sentell.
Clark.	Seawright.
Davis	Smith of Hopkins.
of Van Zandt.	Spradley.
Dodd.	Stewart.
Dudley.	Taylor.
Dunnam.	Terrell.
Fitzpatrick.	Thomason
Florer.	of El Paso.
Harris.	Thompson
Hartman.	of Hunt.
Hawkins.	Thompson
Lanier.	of Red River.
Lee.	Tinner.
Lowe	Traylor.
of McMullen.	Tschoepe.
Low	Veatch.
of Washington.	Walker.
McComb.	Williford.
McCoy.	Woodul.
McDowra.	

Nays—61.

Beasley.	Moore.
Blackmon.	Morris.
Bledsoe.	Neeley.
Bryan.	Nordhaus.
Bryant.	O'Banion.
Burton of Tarrant.	O'Brien.
Carlock.	Osborne.
Cope.	Parks.
Cox.	Peyton.
Crudgington.	Pillow.
Davis of Grimes.	Roemer.
De Bogory.	Russell.
Denton.	Sackett.
Estes.	Schlesinger.
Fly.	Schlosshan.
Greenwood.	Sholars.
Haidusek.	Smith of Bastrop.
Hardey.	Smith of Scurry.
Hill.	Spencer of Nolan.
Holland.	Spencer of Wise.
Johnson.	Thomas.
Jones.	Thomason
Laas.	of Nacogdoches.
Laney.	Tillotson.
Lange.	Valentine.
Lindemann.	White.
McFarland.	Williams
McMillin.	of Brazoria.
Metcalfe.	Williams
Miller of Austin.	of McLennan.
Miller of Dallas.	Wilson.
Monday.	Woods.

Absent.

Bagby.	Poage.
Beason.	Scholl.
Bland.	Swope.
Fairchild.	Templeton.
Fisher.	Tilson.
Hudspeth.	Upchurch.
Mendell.	Yantis.

Absent—Excused.

Bell.	Sallas.
Cates.	Strayhorn.
Davis of Dallas.	Wahrmund.
Lacey.	

Question next recurring on the engrossment of the bill, yeas and nays were demanded.

The bill was passed to engrossment by the following vote:

Yeas—62.

Bagby.	De Bogory.
Bledsoe.	Denton.
Bryan.	Estes.
Bryant.	Fitzpatrick.
Burton of Tarrant.	Florer.
Carlock.	Fly.
Cox.	Greenwood.
Crudgington.	Haidusek.
Davis of Grimes.	Hardey.

Holland.	Schlesinger.
Johnson.	Schlosshan.
Jones.	Sholars.
Laas.	Smith of Bastrop.
Laney.	Smith of Hopkins.
Lange.	Smith of Scurry.
Lindemann.	Spencer of Nolan.
Low	Spencer of Wise.
of Washington.	Thomas.
McFarland.	Thomason
Metcalfe.	of Nacogdoches.
Miller of Austin.	Thompson
Miller of Dallas.	of Red River.
Monday.	Tillotson.
Moore.	Tschoepe.
Morris.	Valentine.
Neeley.	White.
Nordhaus.	Williams
O'Banion.	of Brazoria.
O'Brien.	Williams
Parks.	of McLennan.
Pillow.	Wilson.
Roemer.	Woods.
Russell.	Yantis.
Sackett.	

Nays—61.

Baker.	McMillin.
Beard of Harris.	Martin.
Beard of Milam.	Meador.
Beasley.	Murrell.
Bedell.	Neill.
Bertram.	Nichols.
Blackburn.	Osborne.
Blackmon.	Peddy.
Blalock.	Peyton.
Boner.	Pope.
Brown.	Raiden.
Burton of Rusk.	Reeves.
Butler.	Richards.
Cadenhead.	Robertson.
Canales.	Rogers.
Clark.	Sentell.
Cope.	Seawright.
Davis	Spradley.
of Van Zandt.	Stewart.
Dodd.	Taylor.
Dudley.	Terrell.
Dunnam.	Thomason
Harris.	of El Paso.
Hartman.	Thompson
Hawkins.	of Hunt.
Hill.	Tilson.
Lanier.	Tinner.
Lee.	Trayler.
Lowe	Veatch.
of McMullen.	Walker.
McComb.	Williford.
McCoy.	Woodul.
McDowra.	

Absent.

Beason.	Hudspeth.
Bland.	Mendell.
Fairchild.	Poage.
Fisher.	Scholl.

Swope.	Upchurch.
Templeton.	

Absent—Excused.

Bell.	Sallas.
Cates.	Strayhorn.
Davis of Dallas.	Wahrmund.
Lacey.	

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

S. B. No. 108, "An Act providing for Statewide tick eradication throughout the State of Texas, and to provide for the expenses of conducting the work in the several counties; to prescribe penalties for violation of this act and to provide process to compel compliance by the commissioners courts and the members thereof with the provisions of this act, and of orders and regulations of the State of Texas. Live Stock Sanitary Commission, and repealing all laws and parts of laws in conflict herewith."

S. B. No. 379, "An Act to amend Section 1 of House bill No. 34 enacted by the Thirty-fifth Legislature, and approved by the Governor February 13, 1917, relating to the creation of a juvenile board within certain counties of this State, and prescribing the duties and powers of such board, including the appointment by it of probation officers, and providing for the payment of compensation of such officers, and allowing the said district judges an additional salary to be paid out of the general revenue fund of such county, and declaring an emergency."

S. B. No. 63, "An Act prohibiting the employment of children under fifteen years of age to labor in certain occupations, prohibiting the employment of children under seventeen years of age to labor in certain occupations, etc."

MESSAGE FROM THE GOVERNOR.

Mr. J. H. Davis, Jr., Assistant Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Governor's Office,
Austin, Texas, March 3, 1917.

To the Honorable House of Representatives:

Having been requested by the Hon. T. M. White, Representative, to disapprove

House bill No. 512, and having been requested also by many citizens of Mills county, including the commissioners' court, to veto and disapprove same, the said House bill No. 512 is herewith returned to your honorable body with my disapproval and veto.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

HOUSE BILL NO. 708 ON THIRD READING.

On motion of Mr. Roemer, by unanimous consent, the regular order of business was suspended to take up and have placed on its third reading and final passage,

H. B. No. 708, A bill to be entitled "An Act creating the Seadrift Independent School District in Calhoun county, Texas, etc., and declaring an emergency."

The Speaker laid the bill before the House, it was read third time and was passed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 5, 1917.
Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate requests the House to return House bill No. 364, together with all amendments adopted by the House to the Senate for correction.

The Senate grants the request of the House for a Free Conference Committee on House bill No. 21, and has elected as members of said committee on the part of the Senate the following members:

Senators Lattimore, Bee, Hudspeth, Bailey and Johnston of Harris.

The Senate has passed the following:

S. B. No. 343, A bill to be entitled "An Act to amend Articles 7282, 7283, 7284, 7285, 7286, 7287 and 7289, of Chapter 7, Title 124, of the Revised Civil Statutes of Texas, 1911, providing for the protection of stock raisers in certain localities, and declaring an emergency."

S. J. R. No. 3, Proposing and submitting to a vote of the people of Texas an amendment to Section 9, Article 7, of the Constitution of the State of Texas, authorizing the levy of a special tax of not exceeding sev-

enty-five cents on the one hundred dollars valuation and a vehicle tax of not exceeding one dollar on the one hundred dollars valuation for the improvement and maintenance of public roads."

S. B. No. 241, A bill to be entitled "An Act to amend Subdivisions 1, 2, 6 and 7 of Article 1130, Chapter 2, Title 15 of the Revised Criminal Statutes of the State of Texas, passed by the Regular Session of the Thirty-second Legislature, 1911, relating to the fees allowed to sheriffs and constables in all cases when the charge is felony."

H. B. No. 667, A bill to be entitled "An Act incorporating and creating the Paducah Independent School District in Cottle county, Texas, etc., and declaring an emergency."

H. B. No. 730, A bill to be entitled "An Act to amend Chapter 56 of the Special Laws of the Regular Session of the Thirty-second Legislature of the State of Texas, etc., and declaring an emergency."

Respectfully,
G. H. BOYNTON,
Assistant Secretary of the Senate.

RECESS.

On motion of Mr. Metcalfe, the House, at 12:05 o'clock p. m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

RELATING TO CHARGES AGAINST THE GOVERNOR.

The Speaker laid before the House, as postponed business, for consideration at this time, the resolution offered on last Saturday by Mr. Davis of Van Zandt, relating to the investigation of certain charges against Governor Ferguson.

Question—Shall the resolution be adopted?

Mr. Moore raised a point of order on further consideration of the resolution on the ground that it contains the same substance as a resolution heretofore acted on and defeated by the House during this session of the Legislature.

The Speaker stated that he would submit the point of order to the House for its decision.

Mr. Spradley moved the previous question on the point of order, and the motion was duly seconded.

Question—Shall the main question be now ordered?

Yeas and nays were demanded, and the main question was ordered by the following vote:

Yeas—102.

Bagby.	Miller of Austin.
Baker.	Miller of Dallas.
Beard of Harris.	Monday.
Beasley.	Morris.
Bedell.	Neeley.
Blackburn.	Neill.
Blackmon.	Nichols.
Blalock.	Nordhaus.
Bland.	O'Banion.
Bledsoe.	O'Brien.
Boner.	Osborne.
Brown.	Parks.
Burton of Rusk.	Peddy.
Burton of Tarrant.	Pillow.
Butler.	Pope.
Cadenhead.	Raiden.
Canales.	Richards.
Carlock.	Robertson.
Clark.	Roemer.
Cox.	Sentell.
Davis of Grimes.	Schlesinger.
De Bogory.	Schlosshan.
Denton.	Scholl.
Dudley.	Sholars.
Dunnam.	Smith of Bastrop.
Estes.	Smith of Scurry.
Fisher.	Spencer of Nolan.
Fitzpatrick.	Spencer of Wise.
Florer.	Spradley.
Greenwood.	Swope.
Haidusek.	Taylor.
Hardey.	Templeton.
Harris.	Terrell.
Hartman.	Thomas.
Hill.	Thomason
Holland.	of El Paso.
Hudspeth.	Thomason
Johnson.	of Nacogdoches.
Jones.	Thompson
Laas.	of Hunt.
Lange.	Thompson
Lanier.	of Red River.
Lee.	Tillotson.
Lindemann.	Tilson.
Lowe	Trayler.
of McMullen.	Tschoepe.
Low	Valentine.
of Washington.	Veatch.
McComb.	Walker.
McCoy.	White.
McDowra.	Williams
McFarland.	of McLennan.
Martin.	Wilson.
Mendell.	Woodul.
Metcalf.	

Nays—26.

Beard of Milam.	Bryant.
Bertram.	Cope.
Bryan.	Crudginton.

Dodd.	Rogers.
Fly.	Russell.
Hawkins.	Sackett.
Laney.	Seawright.
McMillin.	Smith of Hopkins.
Meador.	Stewart.
Moore.	Upchurch.
Murrell.	Williford.
Peyton.	Woods.
Reeves.	Yantis.

Present—Not Voting.

Davis
of Van Zandt.

Absent.

Beason.	Tinner.
Fairchild.	Williams
Poage.	of Brazoria.

Absent—Excused.

Bell.	Sallas.
Cates.	Strayhorn.
Davis of Dallas.	Wahrmund.
Lacey.	

Question then recurring on the point of order raised by Mr. Moore, yeas and nays were demanded.

The House overruled the point of order by the following vote:

Yeas—64.

Bagby.	Low
Beard of Harris.	of Washington.
Blackburn.	McFarland.
Bland.	Martin.
Brown.	Mendell.
Burton of Tarrant.	Metcalf.
Carlock.	Miller of Austin.
Cox.	Miller of Dallas.
Davis of Grimes.	Monday.
De Bogory.	Moore.
Denton.	Morris.
Dudley.	Nordhaus.
Dunnam.	O'Brien.
Estes.	Parks.
Fisher.	Pillow.
Fitzpatrick.	Pope.
Florer.	Richards.
Greenwood.	Roemer.
Haidusek.	Schlesinger.
Hardey.	Scholl.
Harris.	Sholars.
Hartman.	Spencer of Nolan.
Hill.	Spradley.
Holland.	Swope.
Hudspeth.	Taylor.
Jones.	Thompson
Laas.	of Red River.
Lange.	Tillotson.
Lanier.	Tschoepe.
Lindemann.	Valentine.
Lowe	Walker.
of McMullen.	White.

Williams of McLennan. Woods. Woodul.

Nays—66.

Baker.	O'Banion.
Beard of Milam.	Osborne.
Beasley.	Peddy.
Bedell.	Peyton.
Bertram.	Raiden.
Blackmon.	Reeves.
Blalock.	Robertson.
Bledsoe.	Rogers.
Boner.	Russell.
Bryan.	Sackett.
Bryant.	Sentell.
Burton of Rusk.	Schlosshan.
Butler.	Seawright.
Cadenhead.	Smith of Bastrop.
Canales.	Smith of Hopkins.
Clark.	Smith of Scurry.
Cope.	Spencer of Wise.
Crudgington.	Stewart.
Davis of Van Zandt.	Templeton.
Dodd.	Terrell.
Fly.	Thomas.
Hawkins.	Thomason of El Paso.
Johnson.	Thomason of Nacogdoches.
Laney.	Thompson of Hunt.
Lee.	Tilson.
McComb.	Tinner.
McCoy.	Trayler.
McDowra.	Upchurch.
McMillin.	Veatch.
Meador.	Williford.
Murrell.	Wilson.
Neeley.	Yantis.
Neill.	
Nichols.	

Absent.

Beason.	Williams
Fairchild.	of Brazoria.
Poage.	

Absent—Excused.

Bell.	Sallas.
Cates.	Strayhorn.
Davis of Dallas.	Wahrmund.
Lacey.	

Reasons for Votes.

I vote "yea" on the point of order made by Mr. Moore for the reason that I believe the Constitution and rules of this House sustain my vote, regardless of the correctness or falsity of the allegations contained in either the O'Banion or Davis resolutions and my judgment thereon, and because I observe that the House Journal of Saturday, March 3, plainly says that the subject matter offered by Mr. Davis was a "privileged resolution," and that Mr. O'Banion's paper was called a "resolution" and so

acknowledged by the author, both covering the same subject matter and varying but slightly in substance, which the Constitution and the House rules clearly forbid being considered twice during the same session of the Legislature.

DENTON.

I vote "nay" because the point of order is not sustained by the Constitution. But this is not to be construed an expression of my opinion upon the merits of the charges.

PEYTON.

I vote "nay" on the point of order because I believe that in justice not only to the Chief Executive of this State, but to the people of the commonwealth as well, that this resolution should be adopted and referred to the committee provided for in the resolution, to take such action as they deem wise and expedient; and for the further reason that the vote on the "point of order" is only technical, and is a parliamentary procedure to indefinitely postpone the resolution.

BEARD of Milam.

Mr. Spradley moved to postpone further consideration of the resolution indefinitely.

Yeas and nays were demanded, and the motion to postpone indefinitely was lost by the following vote:

Yeas—54.

Beard of Harris.	McFarland.
Blackburn.	Martin.
Bland.	Mendell.
Brown.	Metcalfe.
Burton of Tarrant.	Miller of Austin.
Carlock.	Monday.
Davis of Grimes.	Nordhaus.
De Bogory.	O'Brien.
Denton.	Parks.
Dudley.	Pillow.
Dunnam.	Pope.
Estes.	Roemer.
Fisher.	Schlesinger.
Fitzpatrick.	Scholl.
Greenwood.	Sholars.
Haidusek.	Smith of Bastrop.
Hardey.	Spradley.
Harris.	Swope.
Hartman.	Taylor.
Hill.	Thompson
Holland.	of Red River.
Laas.	Tillotson.
Lange.	Tschoepe.
Lanier.	Valentine.
Lindemann.	Walker.
Lowe.	White.
of McMullen.	Williams
Low.	of McLennan.
of Washington.	Yantis.

Nays—76.

Bagby.	Neeley.
Baker.	Neill.
Beard of Milam.	Nichols.
Beasley.	O'Banion.
Bedell.	Osborne.
Bertram.	Peddy.
Blackmon.	Peyton.
Blalock.	Raiden.
Bledsoe.	Reeves.
Boner.	Richards.
Bryan.	Robertson.
Bryant.	Rogers.
Burton of Rusk.	Russell.
Butler.	Sackett.
Cadenhead.	Sentell.
Canales.	Schlosshan.
Clark.	Seawright.
Cope.	Smith of Hopkins.
Cox.	Smith of Scurry.
Crudgington.	Spencer of Nolan.
Davis	Spencer of Wise.
of Van Zandt.	Stewart.
Dodd.	Templeton.
Florer.	Terrell.
Fly.	Thomas.
Hawkins.	Thomason
Hudspeth.	of El Paso.
Johnson.	Thomason
Jones.	of Nacogdoches.
Laney.	Thompson
Lee.	of Hunt.
McComb.	Tilson.
McCoy.	Tinner.
McDowra.	Traylor.
McMillin.	Upchurch.
Meador.	Veatch.
Miller of Dallas.	Williford.
Moore.	Wilson.
Morris.	Woods.
Murrell.	Woodul.

Absent.

Beason.	Williams
Fairchild.	of Brazoria.
Poage.	

Absent—Excused.

Bell.	Sallas.
Cates.	Strayhorn.
Davis of Dallas.	Wahrmund.
Lacey.	

Mr. Bagby offered the following amendment to the resolution:

Amend the resolution by striking out all in the tenth paragraph of said resolution beginning with the words, "Now, therefore, be it resolved," and all that follows thereafter, and insert in lieu thereof the following:

"Now, therefore, be it resolved, That the public good, the cause of truth and justice of all parties and all officers concerned require that a full, fair and

impartial investigation be made by this Legislature; that all facts which would show or tend to show the truth about the acts herein enumerated, and which will enable this Legislature to take such action as the facts developed may require and to pass such laws as may be necessary, and for this purpose a committee of twelve shall be selected from this House by the Speaker. Said committee shall be organized by selecting one of its members chairman and one secretary, and shall have authority to employ experienced shorthand reporters and clerks as may be deemed necessary, and to call upon the Sergeant-at-Arms of the House for service of process and enforcement of its orders. Said committee shall be and the same is hereby vested with the power to issue all necessary process, summon witnesses and to compel their attendance, and the production before it of any papers, evidences of loans, books or documents. Said committee is further vested with all the power now vested in the district courts of this State in the conduct of said investigation and all matters coming before it. That each member of said committee is hereby vested with the power to administer oaths. That the method of procedure in gathering evidence as well as in the prosecution of the work for which it is constituted shall be within the discretion of the committee. Said committee shall have the power to take and keep a record of all of the testimony had, taken and received by it in all matters investigated by it concerning the charges herein made.

"All witnesses summoned before said committee shall be paid in the same manner and amount as provided for witnesses summoned in any of the district courts of this State.

"The sessions of said committee shall be open, and it is hereby directed and authorized to sit and hold its sessions in the city of Austin, State of Texas.

"The committee is hereby given authority if it may see proper and so desires to employ counsel to represent the proponent of the resolution to conduct the examination of witnesses, but this shall not prevent any member of the committee nor the proponent of the charges himself from examining any witness and propounding questions to him at any time throughout said examination and hearing. Any officer against whom charges are herein made shall also have the right to be represented by counsel, who shall also have the right to interrogate witnesses and perform such other duties as are usual

and customary by attorneys in the trial of cases.

"The hearing shall be conducted the same as trial of cases in the district courts of this State, and the rules of evidence observed in the district courts of this State shall be observed and adhered to in said hearing; and the conduct of counsel shall be required to conform, as nearly as possible or practicable, to the conduct of counsel in the trial of cases in the district courts of this State. The objections made to the introduction of testimony and all other matters pertaining to the introduction of testimony before said committee shall be submitted to the chairman of the committee and by him determined, but in case any member of the committee dissents from the ruling of the Chair with reference to the admission of testimony then the matter of the admission or rejection of said testimony shall be submitted to the committee by the Chair, and a majority of those voting on said question shall determine the same.

"The report of said committee shall contain a correct and accurate stenographic transcript of all of the proceedings had before said committee, of all evidence taken, of all questions asked and answers thereto, showing all objections and the rulings thereon, and shall be, at the conclusion of said hearing, reported to the House for such disposition as the House may deem proper to be made of the same.

"All necessary expenses of the committee shall be paid out of the contingent expense fund of the House upon accounts duly approved by the chairman of said committee and in turn approved by the Speaker of the House.

"The committee shall at the conclusion of the taking of testimony make a report of its findings to the House, and the House shall thereupon take such action upon the same as it shall deem proper and just in the premises."

Mr. Bryan offered the following amendment to the amendment:

Amend the amendment by substituting seven members for committee instead of twelve.

Mr. Fisher raised a point of order on consideration of the amendment to the amendment on the ground that it provides for the same number of committeemen as the original resolution provides for.

The Speaker overruled the point of order.

Mr. Templeton offered the following substitute for the amendment to the amendment:

Amend by making the number eleven.

Question then recurring on the substitute, it was lost.

Mr. Tilson offered the following substitute for the amendment to the amendment:

Amend by striking out "twelve" and insert "nine."

Question first recurring on the substitute, it was adopted.

Question next recurring on the amendment to the amendment as substituted, it was adopted.

Question then recurring on the amendment as amended, it was adopted.

Mr. Bagby moved to reconsider the vote by which the amendment as amended was adopted and to table the motion to reconsider.

The motion to table prevailed.

Mr. Laney offered the following amendment to the resolution:

Amend the resolution by adding thereto the following: "Provided, however, that a majority of the committee shall constitute a quorum."

The amendment was adopted.

Question recurring on the resolution as amended, yeas and nays were demanded.

(Mr. Bryan in the chair.)

The resolution as amended was adopted by the following vote:

Yeas—86.

Bagby.	Dodd.
Baker.	Estes.
Beard of Milam.	Fisher.
Beasley.	Florer.
Bedell.	Fly.
Bertram.	Hawkins.
Blackburn.	Hill.
Blackmon.	Hudspeth.
Blalock.	Johnson.
Bland.	Jones.
Bledsoe.	Laney.
Boner.	Lange.
Bryan.	Lee.
Burton of Rusk.	Lindemann.
Butler.	McComb.
Cadenhead.	McDowra.
Canales.	McMillin.
Carlock.	Meador.
Clark.	Miller of Dallas.
Cope.	Moore.
Cox.	Morris.
Crudgington.	Murrell.
Davis	Neeley.
of Van Zandt.	Neill.

Nichols.	Terrell.
O'Banion.	Thomas.
Osborne.	Thomason
Peddy.	of El Paso.
Peyton.	Thomason
Raiden.	of Nacogdoches.
Reeves.	Thompson
Richards.	of Hunt.
Robertson.	Tillotson.
Rogers.	Tilson.
Russell.	Tinner.
Sackett.	Traylor.
Sentell.	Tschoepe.
Schlosshan.	Upchurch.
Seawright.	Veatch.
Smith of Hopkins.	Walker.
Smith of Scurry.	Williford.
Spencer of Nolan.	Wilson.
Spencer of Wise.	Woods.
Stewart.	Woodul.
Templeton.	Yantis.

Nays—41.

Beard of Harris.	Martin.
Brown.	Mendell.
Burton of Tarrant.	Metcalfe.
Davis of Grimes.	Miller of Austin.
De Bogory.	Monday.
Denton.	Nordhaus.
Dudley.	O'Brien.
Dunnam.	Parks.
Fitzpatrick.	Pillow.
Greenwood.	Pope.
Haidusek.	Roemer.
Hardey.	Schlesinger.
Harris.	Scholl.
Hartman.	Sholars.
Holland.	Smith of Bastrop.
Laas.	Spradley.
Lanier.	Swope.
Low.	Taylor.
of Washington.	Valentine.
Lowe.	White.
of McMullen.	Williams
McFarland.	of McLennan.

Absent.

Beason.	Thompson
Bryant.	of Red River.
Fairchild.	Williams
McCoy.	of Brazoria.
Poage.	

Absent—Excused.

Bell.	Sallas.
Cates.	Strayhorn.
Davis of Dallas.	Wahrmund.
Lacey.	

Reasons for Votes.

I vote "yea" because I believe it is due both the Governor and the people to make the investigation since so much publicity has been given the matter and the Governor has requested it.

PEYTON.

I vote "yea" for the reason that all parties concerned express the desire to have an investigation. But, it seems to me, that something is vitally wrong with our political make-up, when this Legislature is required, at an expense of more than \$1500 per day, to pass upon the guilt or innocence of an official charged with a criminal offense—among other things the misappropriation of public funds, if, when all evidence is in, and guilt established, the greatest punishment that can be inflicted by this body is to give him his liberty. These charges appear to me to be matters for the grand juries and courts to investigate to the end that should the accused be proven guilty then the punishment meted out may be commensurate with the offense.

BEASLEY.

Mr. Cope moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider.

The motion to table prevailed.

The Speaker announced the appointment of the following committee provided for in the above resolution:

Messrs. Bledsoe, Carlock, Fly, Thomason of El Paso, Bryan, Pope, Bryant, McMillin and Miller of Dallas.

CONFERENCE COMMITTEE ON SENATE BILL NO. 11.

The Speaker announced the appointment of the following conference committee on the part of the House on Senate bill No. 11:

Messrs. Boner, McFarland, Low of Washington, Bryant, and Davis of Grimes.

NOTION TO TAKE UP HOUSE BILL NO. 677.

Mr. Bland moved to suspend the regular order of business, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 677, A bill to be entitled "An Act to provide for the establishment, maintenance and government of a State Normal College, to be located at Alpine, in Brewster county, Texas, etc., and declaring an emergency."

(Speaker in the chair.)

Mr. Canales raised a point of order on consideration of the motion at this time on the ground that Mr. Bland having heretofore during the session made a motion to suspend the regular order is not entitled to again move to suspend the regular order until each member of the House desiring to make such a motion has been recognized for that purpose.

The Speaker sustained the point of order.

HOUSE BILL NO. 582 ON SECOND READING.

On motion of Mr. Burton of Rusk, by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 582, A bill to be entitled "An Act regulating the manner of service of subpoenas issued in any civil or criminal action or upon any proceeding before an examining court, coroner's inquest, grand jury or before a judge hearing an application under habeas corpus, or in any case or matter where any witnesses may be summoned; authorizing the execution of such subpoena either by reading the same in the presence of the witness or by reading the same over the telephone, or by posting a certified copy of the same in the mails by registered letter; providing that no mileage shall be charged for the service had over the telephone or by mail; providing that expense of telephone calls, postage, and registration fees may be charged as costs; providing for personal service in event returned receipt is not received; providing that the parties, or their attorneys, or any court or grand jury may designate the method of service; providing for the making of return on such subpoena by the officer; repealing Article 3642 of the Revised Civil Statutes, 1911, and Article 527, Code of Criminal Procedure, 1911, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. O'Banion offered the following amendment to the bill:

Amend House bill No. 582 by striking out all of Section 1 down to and including the words "to wit" in line 20, and inserting the following:

"Section 1. A subpoena or summons on any member of the grand jury or a petit jury or a special venireman or any witness in a civil or criminal case or upon any proceeding or hearing before an examining court, coroner's inquest, grand jury or on application for habeas corpus or in any other matter wherein witnesses may be summoned under any law in this State may be served by either of the three following methods, to wit:"

The amendment was adopted.

Mr. O'Banion offered the following amendment to the bill:

Amend House bill No. 582 by striking out Section 3 and inserting a new section therefor to read as follows:

"Sec. 3. All laws and parts of laws in conflict herewith are hereby repealed."

The amendment was adopted.

Mr. O'Banion offered the following amendment to the bill:

Amend the caption in House bill No. 582 so as to read as follows: "An Act regulating the manner of service of subpoena or summons issued in any civil or criminal case upon any proceeding before an examining court, coroner's inquest, grand jury or before a judge hearing an application for habeas corpus or in any case or matter where any witness may be summoned; also regulating the manner of serving subpoenas or summons upon any grand jurymen, petit jurymen or special veniremen; authorizing the execution of such subpoena or summons either by reading the same in the presence of witnesses or by reading the same over the telephone, or by posting a certified copy of same in the mails by registered letter; providing that no mileage shall be charged for the services had over telephone or by mail; providing that the expense of telephone calls, postage and registration fees may be charged as cost; providing for personal services in the event return receipt is not received; providing that the parties or their attorney or any court or grand jury may designate the method of service, and providing for the repeal of all laws or parts of laws in conflict herewith."

The amendment was adopted.

Mr. Williford offered the following amendment to the bill:

Amend House bill No. 582 by adding at the end of Section 1, page 2, the following: "Provided, that the court of justice of the peace before which the witness is to appear may order the witness to be summoned by personal service."

The amendment was adopted.

House bill No. 582 was then passed to engrossment.

Mr. O'Banion moved to reconsider the vote by which the bill was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

(Mr. Pope in the chair.)

HOUSE BILL NO. 264 ON SECOND
READING.

On motion of Mr. Harris, by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 264, A bill to be entitled "An Act to prohibit the charging or collecting of a greater rate of interest than ten per cent per annum, prescribing what shall be shown on the face of each note or contract evidencing a loan or forbearance for money, and prescribing penalty for violation of this act."

The Speaker laid the bill before the House, and it was read second time.

Mr. Beard of Milam offered the following amendment to the bill:

Amend House bill No. 264, page 1, Section 1, line 24, by adding after the word "annum," the following: "Provided that banking institutions and other lenders of money shall not be prohibited from making a minimum charge of fifty cents on any loan as expenses."

Mr. Nichols offered the following substitute for the amendment:

Amend House bill No. 264 by adding on page 1, in Section 1, in line 24, after the word "annum" the following: "Provided, that for loans on amounts or values not exceeding one hundred dollars that there may be charged by the lender or his agent as expense for handling the loan or account the following amounts: For a loan period of not exceeding three months a sum not exceeding one dollar. For a loan period of not exceeding six months a sum of not exceeding seventy-five cents. For a loan period of not exceeding twelve months a sum of not exceeding twenty-five cents. That no more than these charges for the interest periods specified shall be charged or collected, and that the charges specified herein shall not be deemed as interest charges."

Mr. Fly offered the following amendment to the bill:

Amend House bill No. 264 by striking out the enacting clause.

Mr. Dudley moved the previous question on the pending amendments and the engrossment of the bill, and the main question was ordered.

Question first recurring on the amendment striking out the enacting clause of the bill, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—61.

Beard of Harris.	Nordhaus.
Blackburn.	O'Brien.
Blackmon.	Peyton.
Bland.	Richards.
Brown.	Robertson.
Bryan.	Roemer.
Burton of Tarrant.	Russell.
Canales.	Sentell.
Carlock.	Schlesinger.
Crudgington.	Scholl.
Dudley.	Seawright.
Fly.	Smith, of Bastrop.
Greenwood.	Spencer of Nolan.
Haidusek.	Spradley.
Hardey.	Stewart.
Hartman.	Thomas.
Hudspeth.	Thomason
Jones.	of El Paso.
Laney.	Thompson
Lange.	of Red River.
Lindemann.	Tillotson.
Lowe	Tilson.
of McMullen.	Tschoepe.
Low	Upchurch.
of Washington.	Valentine.
McComb.	Walker.
McDowra.	White.
McMillin.	Williams
Martin.	of McLennan.
Metcalfe.	Wilson.
Monday.	Woods.
Murrell.	Woodul.
Neeley.	Yantis.

Nays—43.

Beard of Milam.	Neill.
Beasley.	Nichols.
Bedell.	O'Banion.
Blalock.	Osborne.
Boner.	Parks.
Bryant.	Peddy.
Burton of Rusk.	Raiden.
Butler.	Reeves.
Cadenhead.	Rogers.
Clark.	Sackett.
Cope.	Schlosshan.
De Bogory.	Smith of Hopkins.
Dodd.	Spencer of Wise.
Dunnam.	Taylor.
Estes.	Terrell.
Fisher.	Thomason
Harris.	of Nacogdoches.
Hawkins.	Thompson
Laas.	of Hunt.
Lee.	Tinner.
McFarland.	Trayler.
Meador.	Veatch.
Mendell.	

Present—Not Voting.

Baker.	Pope.
Miller of Dallas.	

Absent.

Bagby.	Lanier.
Beason.	McCoy.
Bledsoe.	Miller of Austin.
Cox.	Moore.
Davis	Morris.
of Van Zandt.	Pillow.
Denton.	Poage.
Fairchild.	Sholars.
Fitzpatrick.	Smith of Scurry.
Florer.	Swope.
Holland.	Templeton.
Johnson.	Williams
	of Brazoria.

Absent—Excused.

Bell.	Sallas.
Cates.	Strayhorn.
Davis of Dallas.	Wahrmund.
Lacey.	

Paired.

Mr. Bertram (present), who would vote "nay," with Mr. Hill (absent), who would vote "yea."

Mr. Williford (present), who would vote "nay," with Mr. Davis of Grimes (absent), who would vote "yea."

Mr. Murrell moved to reconsider the vote by which the amendment was adopted and to table the motion to reconsider.

The motion to table prevailed.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

S. C. R. No. 23, Relating to message sent by citizens of Goliad.

S. C. R. No. 13, Providing for investigation of conflicts in work being done by certain State departments and institutions.

S. B. No. 391, "An Act to amend Section 4 of an act of the Thirty-second Legislature of Texas, passed at the Regular Session thereof, being 'An Act to amend the charter of the city of Gainesville by creating a board of water commissioners for said city, to be appointed by said city council, and prescribing the powers and duties of such board, and declaring an emergency,' relating to the control and disposition of funds derived from the sale of water, and repealing all laws in conflict herewith, and declaring an emergency."

RECESS.

On motion of Mr. Boner, the House, at 6:15 o'clock p. m., took recess to 8 o'clock p. m. today.

NIGHT SESSION.

The House met at 8 o'clock p. m. and was called to order by the Speaker.

SENATE BILL NO. 436 ON SECOND READING.

On motion of Mr. Davis of Grimes, by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to a third reading.

S. B. No. 436, A bill to be entitled "An Act to reorganize the Twentieth Judicial District of Texas and to create the Eighty-third Judicial District of Texas, to fix the time of holding court in said districts and to provide for organizing grand juries at certain terms in said courts, etc., to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Beard of Milam offered the following amendment to the bill:

Amend Senate bill No. 436 by striking out "Eighty-third" wherever it occurs in the bill and the caption and insert in lieu thereof "Eighty-fifth."

The amendment was adopted.

Question recurring on the passage of the bill to a third reading, yeas and nays were demanded.

The bill was passed to a third reading by the following vote:

Yeas—54.

Mr. Speaker.	Low
Beard of Harris.	of Washington.
Beard of Milam.	McDowra.
Blackburn.	Martin.
Boner.	Meador.
Brown.	Mendell.
Burton of Rusk.	Metcalf.
Burton of Tarrant.	Miller of Austin.
Canales.	Morris.
Cox.	Neeley.
Davis of Grimes.	Nichols.
Davis	O'Banion.
of Van Zandt.	O'Brien.
Dudley.	Osborne.
Fisher.	Peddy.
Fitzpatrick.	Richards.
Haidusek.	Robertson.
Hardey.	Russell.
Hartman.	Schlesinger.
Hill.	Scholl.
Holland.	Seawright.
Laas.	Smith of Bastrop.
Laney.	Smith of Scurry.
Lindemann.	Thompson
Lowe	of Red River.
of McMullen.	Tilson.

Tschoepe.	Woods.
Valentine.	Woodul.
Williford.	Yantis.

Nays—29.

Baker.	Raiden.
Beasley.	Reeves.
Bertram.	Roemer.
Blackmon.	Sackett.
Blalock.	Sentell.
Butler.	Smith of Hopkins.
Cadenhead.	Spencer of Wise.
Cope.	Stewart.
Dodd.	Taylor.
Harris.	Terrell.
Hawkins.	Tinner.
Lanier.	Trayler.
McComb.	Veatch.
Murrell.	Wilson.
Peyton.	

Present—Not Voting.

Bledsoe.	Miller of Dallas.
Bryan.	Pope.
Bryant.	Schlosshan.
Carlock.	Thomason
Dunnam.	of El Paso.
Fly.	Thompson
McMillin.	of Hunt.

Absent.

Bagby.	Neill.
Beason.	Nordhaus.
Bedell.	Parks.
Bland.	Pillow.
Cates.	Poage.
Clark.	Rogers.
Crudgington.	Sholars.
De Bogory.	Spencer of Nolan.
Denton.	Spradley.
Estes.	Swope.
Fairchild.	Templeton.
Florer.	Thomas.
Greenwood.	Thomason
Hudspeth.	of Nacogdoches.
Johnson.	Tillotson.
Jones.	Upchurch.
Lange.	Walker.
Lee.	White.
McCoy.	Williams
McFarland.	of Brazoria.
Monday.	Williams
Moore.	of McLennan.

Absent—Excused.

Bell.	Sallas.
Davis of Dallas.	Strayhorn.
Lacey.	Wahrmund.

Mr. Beard of Milam moved to reconsider the vote by which the bill was passed to a third reading and to table the motion to reconsider.

The motion to table prevailed.

Mr. Fisher moved a call of the House for the purpose of maintaining a quorum, and the call was duly seconded.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

HOUSE BILL NO. 276 ON THIRD READING.

On motion of Mr. Brown, by unanimous consent, the regular order of business was suspended to take up and have placed on its third reading and final passage,

H. B. No. 276, A bill to be entitled "An Act to create the Eighty-first Judicial District of the State of Texas, to reorganize the Thirty-sixth and Forty-ninth Judicial Districts of said State, to provide for the appointment of a district attorney in said Thirty-sixth Judicial District as reorganized, and to provide for the appointment of a district judge for said Eighty-first Judicial District, and to provide for the continuance in office of the present district attorney of the Thirty-sixth Judicial District of Texas, as district attorney of the Eighty-first Judicial District of Texas, residing in Wilson county, Texas; to provide for the continuance in office of the present district judge and district attorney of the Forty-ninth Judicial District of Texas, to fix the time of holding the district courts of said districts, to provide for the time when this act shall take effect, to make all process heretofore issued, as well as bonds and recognizances heretofore entered into conform thereto; to provide that the grand and petit jurors drawn and selected under existing laws in any of the counties of said judicial district shall be considered legally drawn and selected for the term of the district court of their respective counties, held after this act takes effect, and providing that this act take effect on August 1, 1917; to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House, and it was read third time.

Mr. Canales moved to postpone further consideration of the bill until tomorrow.

The motion was lost.

Mr. Canales moved to postpone further consideration of the bill until 10 o'clock a. m. next Friday.

Mr. Fisher moved to table the motion to postpone.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—69.

Mr. Speaker.	Miller of Austin.
Beard of Harris.	Miller of Dallas.
Beard of Milam.	Moore.
Bedell.	Morris.
Blackburn.	Neeley.
Blackmon.	Nichols.
Blalock.	O'Banion.
Bland.	O'Brien.
Bledsoe.	Osborne.
Brown.	Peddy.
Bryan.	Pope.
Bryant.	Richards.
Burton of Tarrant.	Robertson.
Carlock.	Roemer.
Cox.	Rogers.
Denton.	Russell.
Dudley.	Sackett.
Dunnam.	Schlesinger.
Fisher.	Scholl.
Fitzpatrick.	Smith of Scurry.
Fly.	Spencer of Wise.
Haidusek.	Stewart.
Harris.	Taylor.
Hartman.	Thomas.
Holland.	Thomason
Laas.	of El Paso.
Laney.	Thompson
Lange.	of Red River.
Lindemann.	Tschoepe.
Lowe	Valentine.
of McMullen.	White.
McComb.	Williford.
McMillin.	Wilson.
Martin.	Woods.
Mendell.	Woodul.
Metcalf.	Yantis.

Nays—25.

Beasley.	Raiden.
Bertram.	Reeves.
Burton of Rusk.	Sentell.
Butler.	Seawright.
Canales.	Smith of Bastrop.
Cope.	Smith of Hopkins.
Dodd.	Terrell.
Hawkins.	Thompson
Lanier.	of Hunt.
McDowra.	Tilson.
Meador.	Tinner.
Murrell.	Traylor.
Peyton.	Veatch.

Present—Not Voting.

Schlosshan.	Upchurch.
-------------	-----------

Absent.

Bagby.	Low
Baker.	of Washington.
Beason.	McCoy.
Boner.	McFarland.
Cadenhead.	Monday.
Cates.	Neill.
Clark.	Nordhaus.
Crudgington.	Parks.
Davis of Grimes.	Pillow.
Davis	Poage.
of Van Zandt.	Sholars.
De Bogory.	Spencer of Nolan.
Estes.	Spradley.
Fairchild.	Swope.
Florer.	Templeton.
Greenwood.	Thomason
Hardey.	of Nacogdoches.
Hill.	Tillotson.
Hudspeth.	Walker.
Johnson.	Williams
Jones.	of Brazoria.
Lee.	Williams
	of McLennan.

Absent—Excused.

Bell.	Sallas.
Davis of Dallas.	Strayhorn.
Lacey.	Wahrmund.

Mr. Blalock moved the previous question on the passage of the bill, and the main question was ordered.

Question then recurring on the passage of the bill, yeas and nays were demanded.

The bill was passed by the following vote:

Yeas—70.

Mr. Speaker.	Laas.
Beard of Harris.	Laney.
Beard of Milam.	Lange.
Blackburn.	Lindemann.
Blackmon.	Lowe
Blalock.	of McMullen.
Bland.	McMillin.
Bledsoe.	Martin.
Brown.	Mendell.
Bryan.	Metcalf.
Burton of Tarrant.	Miller of Austin.
Carlock.	Miller of Dallas.
Cox.	Moore.
Davis of Grimes.	Morris.
Denton.	Neeley.
Dudley.	Nichols.
Dunnam.	O'Banion.
Fisher.	O'Brien.
Fitzpatrick.	Osborne.
Fly.	Peddy.
Haidusek.	Pope.
Harris.	Richards.
Hartman.	Robertson.
Hawkins.	Roemer.
Holland.	Russell.

Sackett.	Thompson
Sentell.	of Red River.
Schlesinger.	Tilson.
Scholl.	Tschoepe.
Smith of Bastrop.	Valentine.
Smith of Scurry.	White.
Spencer of Wise.	Williford.
Stewart.	Wilson.
Taylor.	Woods.
Thomas.	Woodul.
Thomason	Yantis.
of El Paso.	

Nays—22.

Beasley.	Raiden.
Bertram.	Reeves.
Burton of Rusk.	Rogers.
Butler.	Seawright.
Cadenhead.	Smith of Hopkins.
Cope.	Thompson
Dodd.	of Hunt.
Lanier.	Tinner.
McComb.	Trayler.
Meador.	Upchurch.
Murrell.	Veatch.
Peyton.	

Present—Not Voting.

Boner.	McDowra.
Low	Schlosshan.
of Washington.	

Absent.

Bagby.	Lee.
Baker.	McCoy.
Beason.	Monday.
Bedell.	Neill.
Bryant.	Nordhaus.
Canales.	Parks.
Cates.	Pillow.
Clark.	Poage.
Crudgington.	Sholars.
Davis	Spencer of Nolan.
of Van Zandt.	Spradley.
De Bogory.	Swope.
Estes.	Templeton.
Florer.	Thomason
Fairchild.	of Nacogdoches.
Greenwood.	Tillotson.
Hardey.	Walker.
Hill.	Williams
Hudspeth.	of Brazoria.
Johnson.	Williams
Jones.	of McLennan.

Absent—Excused.

Bell.	Sallas.
Davis of Dallas.	Strayhorn.
Lacey.	Wahrmund.

Paired.

Mr. Terrell (present), who would vote "nay," with Mr. McFarland (absent), who would vote "yea."

Mr. Woodul moved to reconsider the

vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 355 ON SECOND READING.

On motion of Mr. Taylor, by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 355, A bill to be entitled "An Act to amend Article 854, Title 22, Chapter 4, Revised Civil Statutes of 1911, as amended by Senate bill No. 342, Chapter 152, page 326, of the General Laws of the State of Texas, passed by the Thirty-third Legislature at its Regular Session, so as to provide for working of the streets by male inhabitants of cities and towns incorporated under the General Laws, not exceeding five days for each year; and providing for the payment of money in lieu of such work; and authorizing such cities and towns to enforce such provisions by appropriate ordinances, and including the fixing of penalties and fines for violation thereof."

The Speaker laid the bill before the House, and it was read second time.

Mr. Cope offered the following amendment to the bill:

Amend House bill No. 355, line 26, page 1, by striking out the word "five" and insert "six."

The amendment was adopted.

Mr. Cope offered the following amendment to the bill:

Amend the caption of House bill No. 355, line 12, by striking out the word "five" and insert the word "six."

The amendment was adopted.

Mr. Williford offered the following amendment to the bill:

Amend House bill No. 355, page 1, line 33, by adding after the word "age" the following, "and not over 45 years of age."

The amendment was adopted.

House bill No. 355 was then passed to engrossment.

Mr. Cope moved to reconsider the vote by which the bill was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 465 ON SECOND READING.

On motion of Mr. Neeley, by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 465, A bill to be entitled "An Act to provide for the purchase of a site for, and for the establishment, location and construction of an asylum to be known as the Northwest Texas Insane Asylum, for the care, treatment and support of white insane persons, and to make an appropriation therefor, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

(Mr. Blalock in the chair.)

Mr. Neeley offered the following (committee) amendments to the bill:

(1)

Amend the bill, page 1, Section 1, by striking out all of lines 6 and 7 and inserting in lieu thereof the following: "Texas & Pacific Railway between El Paso and Fort Worth and west of the Gulf, Colorado & Santa Fe Railway, between Fort Worth and Gainesville, and at a place where at least five hundred acres of land can be secured."

(2)

Amend bill, page 2, Section 6, by striking out all of the section after the word "State" in line 5 and inserting in lieu thereof the following: "And he, together with the Lieutenant Governor and the Attorney General, shall constitute a board for the purpose of having said buildings erected and shall have full power and authority to do and perform all things necessary to carry out the purpose of this act."

(3)

Amend the bill, page 2, by striking out all of Section 7.

The (committee) amendments were severally adopted.

Mr. Neeley offered the following amendments to the bill:

(1)

Amend House bill No. 465 by striking out at the end of line 5 the words "west of the."

(2)

Amend the (committee) amendment, line 15, by inserting after the word "following" and before the word "Texas," "north of the."

The amendments were severally adopted.

Mr. Smith of Scurry offered the following amendment to the bill:

Amend House bill No. 465 by striking out the words "the Attorney General of the State of Texas" wherever they appear in the bill and insert in

lieu thereof "the Speaker of the House of the Thirty-fifth Legislature of Texas."

The amendment was lost.

Mr. Woods offered the following amendments to the bill:

(1)

Amend House bill No. 465 by adding at end of Section 6: "Provided, that all buildings authorized by this act and for which an appropriation is hereby made, shall be of fireproof construction, and that part of all plans and specifications for the erection of said buildings relating to fire protection shall be subject to the approval of the State Fire Insurance Commission."

(2)

Amend House bill No. 465 by striking out figure "9" in line 35, page 1, and line 4, page 2, and insert figures "10."

The amendments were severally adopted.

Mr. Taylor offered the following amendment to the bill:

Amend House bill No. 465, page 1, line 28, by striking out the word "fine" and inserting the word "five."

The amendment was adopted.

Mr. Fisher offered the following amendment to the bill:

Amend House bill No. 465 by striking out all below the enacting clause and inserting in lieu thereof the following: "One hundred and fifty thousand dollars is appropriated for the purposes of enlarging any one or all of the insane asylums now owned by the State of Texas for the purpose of taking more proper care of the insane of this State; said enlargement is to be under the direction of the Governor and the superintendents of the various insane asylums of this State."

Mr. Neeley raised a point of order on consideration of the amendment on the ground that it is not germane to the purposes of the bill.

The Speaker sustained the point of order.

Mr. Canales appealed from the ruling of the Chair.

Speaker Fuller was called to the chair pending the appeal.

Question—Shall the ruling of the Chair be sustained?

The House sustained the ruling of the Chair.

(Mr. Blalock in the chair.)

Mr. Miller of Dallas moved the previous question on the engrossment of the bill, and the main question was ordered.

Question then recurring on the engrossment of the bill, yeas and nays were demanded.

The bill was passed to engrossment by the following vote:

Yeas—83.

Mr. Speaker.	Monday.
Beard of Harris.	Morris.
Beard of Milam.	Neeley.
Blackburn.	Nichols.
Blackmon.	O'Brien.
Bland.	Osborne.
Bledsoe.	Parks.
Boner.	Peddy.
Bryan.	Peyton.
Bryant.	Pope.
Burton of Rusk.	Raiden.
Burton of Tarrant.	Reeves.
Butler.	Richards.
Carlock.	Russell.
Cope.	Sackett.
Davis of Grimes.	Sentell.
Davis of Van Zandt.	Schlesinger.
Denton.	Schlosshan.
Dodd.	Scholl.
Dudley.	Smith of Bastrop.
Dunnam.	Smith of Hopkins.
Fisher.	Smith of Scurry.
Fitzpatrick.	Stewart.
Fly.	Taylor.
Haidusek.	Terrell.
Hartman.	Thomas.
Holland.	Thomason
Laas.	of El Paso.
Laney.	Thomason
Lange.	of Nacogdoches.
Lindemann.	Thompson
Lowe	of Red River.
of McMullen.	Tilson.
Low	Tinner.
of Washington.	Trayler.
McComb.	Tschoepe.
McDowra.	Upchurch.
McFarland.	Valentine.
McMillin.	Veatch.
Meador.	White.
Mendell.	Williford.
Metcalfe.	Wilson.
Miller of Austin.	Woods.
Miller of Dallas.	Woodul.

Nays—12.

Beasley.	Hawkins.
Bedell.	Lee.
Bertram.	Moore.
Blalock.	Murrell.
Clark.	O'Banion.
Cox.	Seawright.
	Absent.
Bagby.	Cadenhead.
Baker.	Canales.
Beason.	Cates.
Brown.	Crudgington.

De Bogory.	Robertson.
Estes.	Roemer.
Fairchild.	Rogers.
Florer.	Sholars.
Greenwood.	Spencer of Nolan.
Hardey.	Spencer of Wise.
Harris.	Spradley.
Hill.	Swope.
Hudspeth.	Templeton.
Johnson.	Thompson
Jones.	of Hunt.
Lanier.	Tillotson.
McCoy.	Walker.
Martin.	Williams
Neill.	of Brazoria.
Nordhaus.	Williams
Pillow.	of McLennan.
Poage.	Yantis.

Absent—Excused.

Bell.	Sallas.
Davis of Dallas.	Strayhorn.
Lacey.	Wahrmund.

Mr. Neeley moved to reconsider the vote by which the bill was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

SENATE JOINT RESOLUTION NO. 3
ON FIRST READING.

Senate Joint Resolution No. 3 was laid before the House, read first time, and referred to the Committee on Constitutional Amendments.

ADJOURNMENT.

Mr. Dudley moved that the House adjourn until 10 o'clock a. m. tomorrow.

Mr. Metcalfe moved that the House recess until 10 o'clock a. m. tomorrow.

Mr. Burton of Tarrant moved that the House recess until 9:30 o'clock a. m. tomorrow.

Mr. Tilson moved that the House adjourn until 9:30 o'clock a. m. tomorrow.

The motion of Mr. Dudley prevailed, and the House, accordingly, at 10:30 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

REPORTS OF COMMITTEE ON EDUCATION.

Committee Room,

Austin, Texas, March 1, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred Senate bill No.

416, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.
THOMASON of Nacogdoches, Chairman.

Committee Room,
Austin, Texas, March 5, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred Senate bill No. 424, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.
THOMASON of Nacogdoches, Chairman.

Committee Room,
Austin, Texas, March 5, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred House bill No. 802, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.
THOMASON of Nacogdoches, Chairman.

REPORT OF COMMITTEE ON PUBLIC LANDS AND LAND OFFICE.

Committee Room,
Austin, Texas, March 5, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Public Lands and Land Office, to whom was referred Senate bill No. 396, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

POPE, Chairman.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, March 3, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 786, A bill to be entitled "An Act to create a special fish law for Wood county; exempting said county from certain provisions of the general fish and game laws of Texas; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 748, A bill to be entitled "An Act to create the Kelton Independ-

ent School District of Wheeler county, Texas, and declaring an emergency."

H. B. No. 764, A bill to be entitled "An Act to aid the Garrison Independent School District in Nacogdoches county in the rebuilding and refurnishing permanent public school buildings destroyed by fire November 17, 1916, by donating and granting to it the State ad valorem and a part of the poll taxes and occupation taxes collected on property and from persons in said Garrison Independent School District for a period of five years, and providing for the manner of collecting, disbursing and receipting for said money, and providing for a penalty for their misapplication, and declaring an emergency."

H. B. No. 757, A bill to be entitled "An Act to fix the time of holding the courts in the Sixty-fourth Judicial District of Texas; to validate all process, bonds and recognizances heretofore taken in the courts of said district and all judgments therein rendered, or to be rendered; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 779, A bill to be entitled "An Act increasing Valera Common School District No. 52 to conform to certain metes and bounds; providing that said district shall be governed by the general laws of the State, and declaring an emergency."

H. B. No. 769, A bill to be entitled "An Act to amend Sections 6 and 7 of the special road law in force in Van Zandt county, as enacted by the Thirty-third Legislature and approved March 25, 1913," etc.

H. B. No. 708, A bill to be entitled "An Act creating the Seadrift Independent School District in Calhoun county, Texas, etc., and declaring an emergency."

H. B. No. 8, A bill to be entitled "An Act regulating the sale of and defining agricultural seeds and mixed seeds; requiring their proper labeling; prohibiting mixtures of seeds unless so labeled; providing for the collection of samples and their examination; defining noxious weeds and foreign matter; providing that certificate of analysis by the Commissioner of Agriculture shall be prima facie evidence in certain cases, and regulating the measure of damages, designating an officer for the enforcement of the law; providing for the expense and enforcement of the law, and fixing penalties for its violation."

And find the same correctly engrossed.
DENTON, Chairman.

Committee Room,
Austin, Texas, March 5, 1917.

Hon. F. O. Fuller, Speaker of the House
of Representatives.

Sir: Your Committee on Engrossed
Bills have carefully examined and compared

H. B. No. 471, A bill to be entitled
"An Act conveying to the United States
of America all right, title and interest
which the State of Texas may have or
hold in and to the following described
tract of land, situated in the city of
Galveston, county of Galveston, State
of Texas, known and described on the
maps and plats of said city now in com-
mon use as being the tract of land lo-
cated on the dyke in Galveston Bay,
described as follows: Commencing at
a point on the U. S. dyke bulkhead,
same being the S. W. corner of a piece
of ground leased to J. P. McDonough
by the city of Galveston, Texas; thence
S. 76 deg. 54½' W. 82.8 ft. to place of
beginning, same being approximately on
center line of Twenty-fifth Street pro-
duced; thence along said bulkhead S.
76 deg. 54½' W. 310.6 ft.; thence N. 28
deg. 08½' W. 500 ft.; thence N. 76 deg.
54½' E. 310.6 ft. parallel to said bulk-
head; thence S. 28 deg. 08½' E. parallel
to and 80 feet W. of W. line of said J.
P. McDonough's lease 500 feet to place
of beginning; containing 3.44 acres; for
the purpose of enabling the United
States government to build thereon a
lighthouse depot, and declaring an emer-
gency."

H. B. No. 723, A bill to be entitled
"An Act to define and construe an act
approved March 16, 1907, being Chap-
ter 26 of the Special Laws of the Thir-
tieth Legislature, and amendments
thereto by an act approved September
1, 1910, being Chapter 1 of the Special
Laws of Fourth Session of Thirty-first
Legislature, 1910, authorizing the coun-
ty of Galveston to build and construct
a causeway and to issue bonds there-
for; defining and construing the inten-
tion of said acts to be that an issue
of bonds and levy of said tax by said
county for such purpose can be made
whenever said causeway needs recon-
struction in whole or in part or needs
repairs; declaring the object and in-
tent being to provide the State of
Texas at all times with suitable access
to the port of Galveston; and the fur-
ther purpose of this act being to vali-
date an issue to be made of \$600,000
of bonds, a second issue for construc-

tion of causeway lost in storm of
August, 1915, that issue of bonds be-
ing under the terms and provisions of
said act as amended, so as to author-
ize the issue of said bonds in conform-
ity with the provisions of the Consti-
tution of this State, including Article
3, Section 52, and declaring an emer-
gency."

H. B. No. 744, A bill to be entitled
"An Act to prevent the selling of bass
and white perch or crappie or channel
catfish taken from the fresh waters in
the county of Tom Green, State of
Texas; making it unlawful to use any
dynamite or other explosives in the
killing or catching of any fish in any
of the fresh waters of said county and
providing a penalty for the violation
thereof; prohibiting the use of any
seine, drag net, trammel net or other
net other than a minnow seine, which
shall not be more than ten feet in
length, limiting the number of fish to
be taken in any one day; providing that
the district judge of the judicial dis-
trict in which Tom Green county is sit-
uated shall give a special charge upon
this law to the grand juries of Tom
Green county; providing a penalty for
the violation hereof, and declaring an
emergency."

And find the same correctly engrossed.
DENTON, Chairman.

FORTIETH DAY.

(Tuesday, March 6, 1917.)

The House met at 10 o'clock a. m.,
pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called, and the following
members were present:

Bagby.	Butler.
Baker.	Cadenhead.
Beard of Harris.	Canales.
Beard of Milam.	Carlock.
Beasley.	Cates.
Beason.	Clark.
Bedell.	Cope.
Bertram.	Cox.
Blackburn.	Crudgington.
Blackmon.	Davis of Dallas.
Blalock.	Davis of Grimes.
Bland.	De Bogory.
Bledsoe.	Denton.
Boner.	Dodd.
Bryan.	Dudley.
Bryant.	Dunnam.
Burton of Rusk.	Estes.
Burton of Tarrant.	Fairchild.